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Meeting of States Parties

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Annual report of the International Tribunal for the Law of the Sea for 2003

Presented by the Registrar

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I. Introduction

1. The present report of the International Tribunal for the Law of the Sea is submitted to the Meeting of States Parties under rule 6, paragraph 3 (d), of the Rules of Procedure for Meetings of States Parties and covers the period from 1 January to 31 December 2003.

2. The Tribunal was established by the 1982 United Nations Convention on the Law of the Sea (hereinafter "the Convention"). It functions in accordance with the relevant provisions of Part XV and Part XI of the Convention, the Statute of the Tribunal (hereinafter "the Statute"), as contained in annex VI to the Convention, and the Rules of the Tribunal (hereinafter "the Rules").

3. The Tribunal is composed of 21 members, elected by the States Parties to the Convention in the manner provided for by article 4 of the Statute.

4. As of 31 December 2003, the composition of the Tribunal was as follows:

Order of precedence	*Country*	*Date of expiry of term of office*
President		
L. Dolliver M. Nelson	Grenada	30 September 2005
Vice-President		
Budislav Vukas	Croatia	30 September 2005
Judges		
Hugo Caminos	Argentina	30 September 2011
Vicente Marotta Rangel	Brazil	30 September 2008
Alexander Yankov	Bulgaria	30 September 2011
Soji Yamamoto	Japan	30 September 2005
Anatoly Lazarevich Kolodkin	Russian Federation	30 September 2008
Choon-Ho Park	Republic of Korea	30 September 2005
Paul Bamela Engo	Cameroon	30 September 2008
Thomas A. Mensah	Ghana	30 September 2005
P. Chandrasekhara Rao	India	30 September 2008
Joseph Akl	Lebanon	30 September 2008
David Anderson	United Kingdom	30 September 2005
Rüdiger Wolfrum	Germany	30 September 2008
Tullio Treves	Italy	30 September 2011
Mohamed Mouldi Marsit	Tunisia	30 September 2005
Tafsir Malick Ndiaye	Senegal	30 September 2011

Order of precedence	*Country*	*Date of expiry of term of office*
José Luis Jesus	Cape Verde	30 September 2008
Guangjian Xu	China	30 September 2011
Jean-Pierre Cot	France	30 September 2011
Anthony Amos Lucky	Trinidad and Tobago	30 September 2011

5. The Registrar is Philippe Gautier (Belgium) and the Deputy Registrar is Doo-young Kim (Republic of Korea).

II. Organization of the Tribunal

A. Changes in the composition of the Tribunal

6. Acting pursuant to article 6, paragraph 1, of the Statute, the Registrar, in a note verbale dated 24 April 2003, informed States Parties of the vacancy which had occurred in the Tribunal because of the death of Judge Lennox Fitzroy Ballah and invited Governments of States Parties to submit by 29 June 2003 the names of candidates they might wish to nominate for election as member of the Tribunal. In that note verbale, the Registrar informed States Parties that the member elected to replace Judge Ballah would serve until 30 September 2011.

7. By the same note verbale, the Registrar informed States Parties that the President of the Tribunal, after consultation with the President of the Meeting of States Parties, had proposed to have the election held on 2 September 2003 and invited States Parties to communicate their comments. Since no comments were received, the Registrar, by a note verbale dated 7 July 2003, informed the States Parties that the election to fill the seat vacated by Judge Ballah for the remainder of his term would be held on 2 September 2003. In accordance with article 4, paragraph 2, of the Statute, a list of candidates nominated by States Parties was prepared by the Registrar and submitted to States Parties as document SPLOS/105.

8. On 2 September 2003, a special Meeting of States Parties was convened and elected Mr. Lucky to serve as member of the Tribunal until 30 September 2011.

B. Solemn declaration

9. Pursuant to article 11 of the Statute, every member of the Tribunal is required, before taking up his duties, to make a solemn declaration that he will exercise his powers impartially and conscientiously. The declaration is to be made at the first public sitting at which the member is present.

10. The solemn declaration provided for in article 5 of the Rules was made by Judge Lucky at a public sitting of the Tribunal on 8 September 2003.

III. Chambers

A. Seabed Disputes Chamber

11. In accordance with article 35, paragraph 1, of the Statute, the Seabed Disputes Chamber consists of 11 judges selected by the members of the Tribunal from among themselves. The members of the Chamber are selected triennially. During 2003, a vacancy occurred in the Seabed Disputes Chamber because of the death of Judge Ballah, who had been a member of the Chamber. Article 35, paragraph 6, of the Statute provides that if a vacancy occurs in the Chamber, the Tribunal selects a successor from among its elected members, who will hold office for the remainder of his predecessor's term. At its sixteenth session, the Tribunal selected Judge Lucky to fill the vacancy. Allowing for this change, the composition of the Chamber, in order of precedence, is as follows: Judge Marsit, President; Judges Caminos, Yankov, Park, Mensah, Chandrasekhara Rao, Anderson, Jesus, Xu, Cot and Lucky, members.

12. The term of office of the members of the Chamber expires on 30 September 2005.

13. During the period under review, the members of the Seabed Disputes Chamber exchanged views on the question of contributions to the expenses of the Tribunal relating to cases brought before the Chamber by an entity other than a State Party or the International Seabed Authority. With respect to the contributions by the Authority, the Chamber noted that the Meeting of States Parties shall decide the terms and manners by which such contributions shall be made.

B. Special chambers

1. Chamber of Summary Procedure

14. The Chamber of Summary Procedure is established in accordance with article 15, paragraph 3, of the Statute and consists of five members and two alternates. In accordance with article 28 of the Rules, the President and the Vice-President of the Tribunal are ex officio members of the Chamber, with the President of the Tribunal serving as President of the Chamber. The Chamber is constituted annually.

15. During the sixteenth session of the Tribunal, on 16 September 2003, the Chamber was constituted for the period from 1 October 2003 until 30 September 2004. The members of the Chamber, in order of precedence, are as follows: President Nelson; Vice-President Vukas; Judges Park, Treves and Ndiaye, members; Judges Anderson and Lucky, alternates.

2. Chamber for Fisheries Disputes

16. The Chamber for Fisheries Disputes, established in accordance with article 15, paragraph 1, of the Statute, consists of seven members. As decided by the Tribunal, the members of the Chamber are selected for a three-year term.

17. The composition of the Chamber for Fisheries Disputes, in order of precedence, is as follows: Judge Caminos, President; Judges Yamamoto, Kolodkin, Park, Wolfrum, Ndiaye and Jesus, members.

18. The term of office of the members of the Chamber expires on 30 September 2005.

3. Chamber for Marine Environment Disputes

19. The Chamber for Marine Environment Disputes, established in accordance with article 15, paragraph 1, of the Statute, consists of seven members. As decided by the Tribunal, the members of the Chamber are selected for a three-year term.

20. The composition of the Chamber, in order of precedence, is as follows: Judge Treves, President; Judges Marotta Rangel, Yankov, Bamela Engo, Akl, Anderson and Xu, members.

21. The term of office of the members of the Chamber expires on 30 September 2005.

4. Chamber under article 15, paragraph 2, of the Statute

22. Pursuant to article 15, paragraph 2, of the Statute, the Tribunal shall form a chamber for dealing with a particular dispute, if the parties so request. The composition of such a chamber is determined by the Tribunal with the approval of the parties in the manner provided for in article 30 of the Rules.

23. By Order dated 20 December 2000, the Tribunal formed a Special Chamber of five judges to deal with a dispute between Chile and the European Community concerning the conservation and sustainable exploitation of swordfish stocks in the South-Eastern Pacific Ocean. This was the first time that a case had been submitted to a special chamber of the Tribunal.

24. By separate letters dated 19 December 2000, Chile, in exercise of its right under article 17 of the Statute, notified its choice of Mr. Orrego Vicuña as judge ad hoc and the European Community confirmed this choice.

25. The composition of the Special Chamber to deal with the case is as follows: Judge Chandrasekhara Rao, President; Judges Caminos, Yankov and Wolfrum and Judge ad hoc Orrego Vicuña, members.

IV. Meetings of the Tribunal

26. During the period under review, the Tribunal held two sessions devoted essentially to administrative matters and legal matters not directly related to cases. The Fifteenth Session of the Tribunal was held from 10 to 21 March 2003 and the Sixteenth Session from 8 to 19 September 2003. The Tribunal met from 20 September to 8 October 2003 to deal with the *Case concerning Land Reclamation by Singapore in and around the Straits of Johor*. The judicial deliberations in the case were held in conjunction with the Sixteenth Session of the Tribunal.

V. Judicial work of the Tribunal

A. *Case concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the South-Eastern Pacific Ocean (Chile/European Community)*

27. Following an agreement between Chile and the European Community, the Tribunal, by Order dated 20 December 2000, formed a Special Chamber to deal with a dispute between Chile and the European Community concerning the conservation and sustainable exploitation of swordfish stocks in the South-Eastern Pacific Ocean, and made provision in respect of preliminary objections and for the filing of the written pleadings.[1]

28. On 9 March 2001, the parties informed the President of the Special Chamber that they had reached a provisional arrangement concerning the dispute and requested that the proceedings before the Chamber be suspended. By Order of 15 March 2001, the President of the Special Chamber extended the time limit of 90 days for the making of preliminary objections so that it would commence from 1 January 2004.

29. By letters respectively dated 31 October 2003 and 11 November 2003, Chile and the European Community requested that the time limits for the proceedings before the Special Chamber continue to be suspended for a further period of two years and maintained their right to revive the proceedings at any time. Further to the request of the parties, the President of the Special Chamber extended the time limit for making preliminary objections until 1 January 2006, by Order dated 16 December 2003.

B. *Case concerning Land Reclamation by Singapore in and around the Straits of Johor (Malaysia v. Singapore)*

30. On 5 September 2003, a Request for the prescription of provisional measures under article 290, paragraph 5, pending the constitution of an arbitral tribunal to be established under annex VII to the Convention, was submitted to the Tribunal by Malaysia against Singapore in the dispute concerning land reclamation by Singapore in and around the Straits of Johor. The Request was accompanied by a copy of a document dated 4 July 2003, instituting arbitral proceedings against Singapore. The Request was entered in the List of cases as Case No. 12 and named *Case concerning Land Reclamation by Singapore in and around the Straits of Johor.*

31. Pursuant to article 17, paragraph 3, of the Statute, Malaysia nominated Kamal Hossain and Singapore nominated Bernard H. Oxman as judges ad hoc. Mr. Hossain and Mr. Oxman were admitted to participate in the case as judges ad hoc after having made a solemn declaration at a public sitting of the Tribunal held on 24 September 2003.

32. By Order dated 10 September 2003, the Tribunal fixed 25 September 2003 as the date for the opening of the hearing.

33. Singapore filed its Response on 20 September 2003.

34. Prior to the opening of the hearing, the Tribunal held initial deliberations on 24 September 2003.

35. The Tribunal heard oral arguments from the parties at five public sittings held on 25, 26 and 27 September 2003. Final submissions were made by each party at the end of the hearing.

36. On 8 October 2003, the Tribunal delivered its Order in the case.

VI. Other activities

37. In the notification of 4 July 2003 which instituted arbitral proceedings under annex VII to the Convention in a dispute concerning land reclamation by Singapore in and around the Straits of Johor, Malaysia informed Singapore that it had appointed a member of the arbitral tribunal pursuant to annex VII, article 3(b), to the Convention. On 29 July 2003, Singapore appointed a member of the arbitral tribunal pursuant to article 3(c) of the said annex. On 9 September 2003, the President of the Tribunal was requested by the Minister for Foreign Affairs of the Republic of Singapore, in accordance with annex VII, article 3(e), to appoint the other three members and, from among them, the President of the arbitral tribunal. After consultation with the parties and with experts on the list maintained by the Secretary-General of the United Nations pursuant to annex VII to the Convention, the President appointed on 9 October 2003 the three members of the arbitral tribunal and the President of the arbitral tribunal from among these members.

VII. Committees

38. During its sixteenth session, on 16 September 2003, the Tribunal reconstituted its committees for the period ending 30 September 2004.[2]

A. Committee on Budget and Finance

39. The members of the Committee on Budget and Finance selected on 16 September 2003 are as follows: Judge Akl, Chairman; Judges Yankov, Mensah, Anderson, Treves, Jesus, Cot and Lucky, members.

B. Committee on Rules and Judicial Practice

40. The members of the Committee on Rules and Judicial Practice selected on 16 September 2003 are as follows: President Nelson, Chairman; Vice-President Vukas; Judges Caminos, Marotta Rangel, Yankov, Yamamoto, Mensah, Chandrasekhara Rao, Akl, Anderson, Treves, Marsit (ex officio) and Ndiaye, members.

C. Committee on Staff and Administration

41. The members of the Committee on Staff and Administration selected on 16 September 2003 are as follows: Judge Wolfrum, Chairman; Judges Caminos, Kolodkin, Bamela Engo, Mensah, Marsit, Xu and Cot, members.

D. Committee on Library and Publications

42. The members of the Committee on Library and Publications selected on 16 September 2003 are as follows: Judge Anderson, Chairman; Vice-President Vukas; Judges Caminos, Marotta Rangel, Kolodkin, Park, Chandrasekhara Rao, Wolfrum, Treves and Ndiaye, members.

E. Committee on Buildings and Electronic Systems

43. The members of the Committee on Buildings and Electronic Systems selected on 16 September 2003 are as follows: Judge Jesus, Chairman; Judges Yankov, Akl, Anderson, Wolfrum and Lucky, members.

VIII. Rules of the Tribunal and supplementary documents

44. During its fifteenth and sixteenth sessions, the Tribunal dealt with legal and judicial matters including a review of the Rules and judicial procedures of the Tribunal. This review was undertaken both in the Committee on Rules and Judicial Practice and in the plenary. In considering such legal and judicial matters, the Tribunal followed closely the developments of the rules of procedure of the International Court of Justice and other international courts or tribunals. Some of the main issues which were considered are as follows:

A. Request for advisory opinions under article 138 of the Rules

45. During its fifteenth session, the plenary of the Tribunal discussed, on the basis of a document prepared by the Registry, the possible interpretations of article 21 of the Statute and article 138 of the Rules, including possible meanings of the terms "agreement", "international agreement" and "body". The plenary also discussed the question of the entities which may be entitled to submit a request for an advisory opinion to the Tribunal.

B. Secrecy of deliberations

46. During the fifteenth and sixteenth sessions, the Committee on Rules and Judicial Practice exchanged views on the matter based on proposals presented by the Registry. At its fifteenth and sixteenth sessions, the Tribunal adopted instructions to the Registry on the subject.

C. Contributions towards the expenses of the Tribunal

47. During the fifteenth and sixteenth sessions, the Committee on Rules and Judicial Practice examined, on the basis of background papers prepared by the Registry, the question of expenses relating to cases brought by an entity other than a State Party or the International Seabed Authority.

48. On the recommendation of the Committee, the Tribunal decided, at its sixteenth session, to continue consideration of this item at its next session.

D. Bonds and other financial security

49. During the fifteenth and sixteenth sessions, the Committee on Rules and Judicial Practice gave consideration to this item on the basis of documents prepared by the Registry and previous reports on the subject.

50. On the recommendation of the Committee, the Tribunal decided, at its sixteenth session, to continue consideration of this item at its next session.

E. Procedure for revision or interpretation of a judgment or order

51. During the fifteenth and sixteenth sessions, the Committee on Rules and Judicial Practice discussed the issue of the procedure to be adopted by the Tribunal in the case of a request for revision or interpretation of a judgment or order made with respect to urgent proceedings before the Tribunal.

52. On the recommendation of the Committee, the Tribunal decided, at its sixteenth session, to continue consideration of this item at its next session.

F. Other matters

53. During the fifteenth and sixteenth sessions, the Committee on Rules and Judicial Practice exchanged views, on the basis of background papers prepared by the Registry, on recent developments regarding the procedural rules of other international courts or tribunals.

54. During the sixteenth session, the Committee on Rules and Judicial Practice considered proposals made by the Registry concerning a revised format for the list of cases.

55. On the recommendation of the Committee, the Tribunal decided, at its sixteenth session, to continue consideration of these items at its next session.

IX. Privileges and immunities

A. General Agreement

56. The Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea, adopted by the seventh Meeting of States Parties on 23 May 1997, was deposited with the Secretary-General of the United Nations and opened for signature at United Nations Headquarters for 24 months as from 1 July 1997.[3] The Agreement entered into force on 30 December 2001, 30 days after the date of deposit of the tenth instrument of ratification or accession. At the closing date for signature, 21 States had signed the Agreement. As of 31 December 2003, thirteen States had ratified it or acceded to it.

B. Headquarters Agreement

57. During the period under review, negotiations continued with the German authorities on the Headquarters Agreement between the Tribunal and the Federal

Republic of Germany. However, no progress has been made towards concluding the Agreement.

58. Pending the conclusion of a headquarters agreement, an interim ordinance was adopted by the host country,[4] which applies, mutatis mutandis, the relevant provisions of the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947.

X. Relations with the United Nations

A. Observer status in the General Assembly

59. At the sixty-fourth plenary meeting of the fifty-eighth session of the General Assembly, on 24 November 2003, President Nelson delivered a statement under agenda item 52 (a), entitled "Oceans and the law of the sea".[5]

B. Relationship Agreement with the United Nations

60. The Registrar reported to the Tribunal, at its fifteenth and sixteenth sessions, on developments regarding the implementation of the Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea.

XI. Relations with other organizations and bodies

61. During the period under review, administrative arrangements on cooperation were concluded between the Registry of the Tribunal and the following organizations or bodies: the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Secretariat of the International Seabed Authority, the European Court of Human Rights and the Inter-American Court of Human Rights.

XII. Premises of the Tribunal

62. The terms and conditions under which the premises are made available by the Federal Republic of Germany to the Tribunal are established in the Agreement of 18 October 2000 between the International Tribunal for the Law of the Sea and the Government of the Federal Republic of Germany on the Occupancy and Use of the Premises of the International Tribunal for the Law of the Sea in the Free and Hanseatic City of Hamburg.

63. A meeting between the Registry and the competent German authorities took place on 25 June 2003 to discuss issues regarding the premises of the Tribunal.

XIII. Finances

A. Budget

1. Budget for 2004

64. The budget proposals for 2004, approved by the Tribunal at its fifteenth session, were submitted to the Meeting of States Parties. The proposals, involving an amount of $8,614,900, were based on an evolutionary approach and guided by the principle of zero growth.

65. The Meeting of States Parties approved the budget in the amount of $8,039,000. The approved budget provided for recurrent expenditure of $6,834,800, including $1,862,100 for the remuneration, travel and pensions of the judges and $3,276,600 for salaries and related costs of staff, and non-recurrent expenditure of $95,000. The Meeting of States Parties also approved $1,109,200 under the part of the budget entitled "Case-related costs", to be used in the event of cases being submitted to the Tribunal. No appropriations were made to the Working Capital Fund and no further appropriations would be made until the Fund had been reduced to 8 per cent of the overall budget of the Tribunal.[6]

2. Budgetary matters for 2003

66. Following the proposal of the Tribunal, the thirteenth Meeting of States Parties authorized the Tribunal, with regard to the budget for 2003, to finance overexpenditures with respect to certain budget lines by transfers between appropriation sections as far as possible and, if necessary, by using savings from the financial period 2002. The Registrar was requested to report on any action taken in this regard to the fourteenth Meeting of States Parties.[7]

3. Budget proposals for 2005-2006

67. At the sixteenth session of the Tribunal, the Committee on Budget and Finance gave preliminary consideration to the budget for 2005-2006.

4. Report on budget performance

68. At its fifteenth session, the Tribunal considered the report presented by the Registrar concerning the budget performance for 2002.

B. Status of contributions

69. As of 31 December 2003, 64 States Parties had made their contributions to the 2003 budget in the full amount assessed, totalling $4,603,967, while 78 States Parties had not made any payments with respect to their assessed contributions for 2003. The balance of unpaid contributions with respect to the 2003 budget was $554,405.

70. Furthermore, assessed contributions amounting to $1,150,927 in respect of the 1996-1997, 1998, 1999, 2000, 2001 and 2002 budgets were still pending as of 31 December 2003.

71. The balance of unpaid contributions with respect to the overall budget of the Tribunal amounted to $1,705,332. The Registrar sent notes verbales to the States Parties concerned on 19 December 2003, reminding them of their outstanding contributions to the budgets of the Tribunal.

C. Staff assessment fund

72. Following the proposal of the Tribunal, the thirteenth Meeting of States Parties decided that future contributions by States Parties should be assessed on the basis of net salary. The Meeting also decided that the amount in the Staff Assessment Account as of 31 December 2002 should be deducted from the contributions of States Parties for 2004 pro rata to their contributions thereto for each financial year concerned. It further decided that the amount of staff assessment accumulated in the financial year 2003 should be used to reimburse officials and members of the Tribunal for national taxes in respect of remuneration paid by the Tribunal for 2003 and 2004.[8]

73. Furthermore, the Meeting requested the Tribunal to negotiate bilateral agreements concerning tax reimbursements, and to study staff assessment systems used by other international organizations and to propose possible solutions to ensure that States Parties' contributions would not be used to reimburse taxes levied by other States. The Tribunal was requested to report on these matters to the fourteenth Meeting of States Parties.[9]

D. Reports of the Auditor for 2001 and 2002

74. In accordance with the Financial Regulations of the United Nations, which are applicable mutatis mutandis to the Tribunal, arrangements were made for the accounts of the Tribunal to be audited by an internationally recognized auditing firm.

75. The audit report for 2001 was submitted by the Tribunal to the thirteenth Meeting of States Parties. The Meeting considered and took note of the report.

76. The audit report for the financial year 2002 was presented by the Registrar at the Sixteenth Session of the Tribunal. The auditor, having reviewed the transactions and operations over that period, was satisfied that the financial statements presented fairly, in all material respects, the financial position of the Tribunal, as of 31 December 2002, and that they were in conformity with generally accepted accounting principles and with the Financial Regulations of the United Nations, which applied mutatis mutandis. The Tribunal took note of the audit report for 2002 and requested that the report be submitted to the fourteenth Meeting of States Parties.

77. On the basis of the recommendation of the Committee on Budget and Finance, the Tribunal, at its sixteenth session, authorized the appointment of the auditor for a further year.

E. Financial Regulations

78. The Financial Regulations of the Tribunal were adopted by the thirteenth Meeting of States Parties on 12 June 2003. The Financial Regulations will become effective on 1 January 2004 and will apply to the financial period 2005-2006 and to subsequent financial periods.[10]

79. Pursuant to financial regulation 10.1(a), the Registrar should establish, with the approval of the Tribunal, detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy. During the sixteenth session, the Committee on Budget and Finance undertook a preliminary review of the draft Financial Rules of the Tribunal as prepared by the Registrar. Following their approval by the Tribunal, the draft Financial Rules will be submitted to the Meeting of States Parties for its consideration.

80. In the interim period, the Financial Regulations and Rules of the United Nations continue to apply mutatis mutandis.

F. Liability of the Tribunal

81. The thirteenth Meeting of States Parties adopted the proposal of the Tribunal to cover its liability in the event of the death, injury or illness of members of the Tribunal attributable to service with the Tribunal.[11]

82. During the sixteenth session, the Tribunal took note of the action taken by the Registrar pursuant to the decision of the Meeting of States Parties and decided to review the matter at its next session.

G. Trust funds and donations

83. On 30 October 2000, the General Assembly, in its resolution 55/7 entitled "Oceans and the law of the sea", requested the Secretary-General to establish and administer a voluntary trust fund to assist States in the settlement of disputes through the Tribunal. The trust fund was thereafter established and is operational.

84. As of 31 December 2003, contributions to the trust fund which were made by the Government of the United Kingdom and the Government of Finland amounted to $55,235.

XIV. Administrative matters

A. Staff Regulations and Rules

85. During the fifteenth and sixteenth sessions, the Registrar reported to the Tribunal on the review of the functioning of the Registry.

86. Upon the recommendation of the Committee on Staff and Administration, the Tribunal, during its fifteenth session, approved amendments to the Staff Regulations of the Tribunal dealing with the salary scale for staff in the Professional and higher categories.

87. During the fifteenth session, the Registrar reported to the Tribunal on amendments to the Staff Rules concerning assignment grant, removal costs and loss of entitlement to unaccompanied shipment or removal expenses, and scale of pensionable remuneration for staff in the Professional and higher categories, as required to ensure compatibility with the United Nations practice. On the basis of the recommendation of the Committee on Staff and Administration, the Tribunal took note of these amendments.

B. Staff recruitment

88. The Tribunal continued the recruitment process for both Professional and General Service staff. At the end of 2003, the status of the recruitment process was as follows:

(a) Recruitment was completed for one post of Translator at the P-3 level (the successful candidate subsequently declined the offer);

(b) Recruitment was completed for one General Service post;

(c) Appointment was offered for two General Service posts.

A list of the staff members of the Tribunal as of 31 December 2003 is contained in annex II to the present report.

89. Temporary personnel were recruited to assist the Tribunal in connection with the *Case concerning Land Reclamation by Singapore in and around the Straits of Johor* and during its fifteenth and sixteenth sessions.

C. Internship programme

90. Modelled on the United Nations internship programme, an internship programme of the Tribunal was established in 1997. During 2003, 21 persons served periods of internship at the Tribunal. A list of the persons who participated in the internship programme during 2003 is contained in annex III to the present report.

91. During its sixteenth session, the Tribunal approved changes to the internship programme based on the recommendation of the Committee on Staff and Administration. At its sixteenth session, the Tribunal also approved the recommendation by the Committee on Staff and Administration to include persons in the programme participating in the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea, and to make arrangements with the Division for Ocean Affairs and the Law of the Sea of the United Nations for this purpose.

92. At its sixteenth session, the Tribunal took note of the offer made by the Korea International Cooperation Agency regarding the possible funding of participation in the Tribunal's internship programme. The Tribunal requested the Registry to prepare draft criteria for applicants for consideration at its next session.

93. An information sheet and application form concerning the programme can be obtained from the Registry or from the Tribunal's web sites at http://www.itlos.org or http://www.tidm.org.

XV. Buildings and electronic systems

A. Requirements for the permanent premises

94. During the fifteenth and sixteenth sessions of the Tribunal, the Registrar presented reports to the Tribunal on requirements for the permanent premises, including buildings arrangements, facility management, electronic systems and courtroom technology, which were reviewed by the Committee on Buildings and Electronic Systems.

B. Public access

95. On 14 September 2003, the second open day of the Tribunal was held. With 2,000 visitors to the premises, the open day was deemed a great success. In addition, the building was visited by approximately 2,500 people during organized tours in 2003.

C. Use of the premises

96. The following events were organized on the premises of the Tribunal during 2003:

(a) On 15 March 2003, the International Foundation for the Law of the Sea held a seminar on the theme "Interference with navigation: modern challenges";

(b) On 31 March 2003, a meeting of the heads of the German waterways police was held;

(c) On 11 August 2003, a session of the Summer School of the Zeit Foundation took place;

(d) On 5 and 6 September 2003, a meeting of the Committee on Legal Issues of the Outer Continental Shelf of the International Law Association was held;

(e) On 19 September 2003, the German Federal Bar Association held its annual meeting;

(f) On 29 November 2003, the Diakonisches Werk Hamburg held the opening meeting for the Bread for the World campaign.

XVI. Balance between official languages of the Tribunal

97. The Registrar reported to the Tribunal, at its fifteenth and sixteenth sessions, on steps taken to ensure a balance between the two official languages of the Tribunal. English and French courses for staff members were held at the Tribunal in 2003. German classes for staff members were held on the understanding that classes take place outside working hours and that the reimbursement of the cost of the classes be restricted to 50 per cent for a limited period of two years.

XVII. Library facilities

98. During the fifteenth and sixteenth sessions, the Registrar reported on several matters pertaining to the Library, including the integrated library system, the library catalogue, online databases and the need for increased library space. The Tribunal decided to give further consideration to these issues at its next session.

99. A list of donors to the Library is contained in annex I to the present report.

XVIII. Publications

100. The status of the Tribunal's publications was reviewed by the Committee on Library and Publications during the fifteenth and sixteenth sessions of the Tribunal.

101. During the period under review, the following volumes were published:

(a) *Yearbook 2001*;

(b) *ITLOS Reports of Judgments, Advisory Opinions and Orders 2001*.

XIX. Public information and web site

102. The Tribunal publicized its work by means of its web site, press releases and briefings by the Registry and by distribution of its judgments, orders and publications.

103. The web site can be accessed at http://www.itlos.org or http://www.tidm.org. The texts of the judgments, orders and verbatim records of hearings of the Tribunal are available on the web site, together with other information about the Tribunal.

104. In 2003, judges also delivered addresses and published papers on the work of the Tribunal.

XX. International Foundation for the Law of the Sea

105. On 10 December 2003, the International Foundation for the Law of the Sea was established in Hamburg upon a joint initiative of representatives of trade and industry, the academic world and public institutions, as well as with the support of the Senate of the Free and Hanseatic City of Hamburg and the Government of the Federal Republic of Germany.

106. On that occasion, the President of the Tribunal welcomed the establishment of the Foundation. In his statement, the President observed that the Foundation had been established with the mission of promoting the Tribunal's activities, research and teaching, events and publications and the provision of training opportunities at the seat of the Tribunal, especially for nationals of developing countries.

XXI. Future work

107. The Tribunal decided to hold its seventeenth session from 22 March to 2 April 2004 to deal with organizational and administrative matters and other matters having

a bearing on the judicial work of the Tribunal. It further decided that the tentative dates for the eighteenth session would be 20 September to 1 October 2004.

Notes

[1] For the composition of the Special Chamber, see para. 25.

[2] For the terms of reference of the committees, see SPLOS/27, paras. 37-40, and SPLOS/50, paras. 36-37.

[3] SPLOS/24, para. 27.

[4] German Ordinance on the Privileges and Immunities of the International Tribunal for the Law of the Sea of 10 October 1996.

[5] The text of the statement is available on the Tribunal's web sites at http://www.itlos.org or http://www.tidm.org.

[6] SPLOS/103, paras. 46, 48 and 49.

[7] SPLOS/103, para. 65.

[8] SPLOS/103, paras. 60 and 61.

[9] SPLOS/103, para. 62.

[10] SPLOS/103, para. 68; the Financial Regulations of the Tribunal are contained in document SPLOS/2003/WP.3.

[11] SPLOS/103, para. 70.

Annex I

List of donors to the Library of the International Tribunal for the Law of the Sea, 2003

Asociación Argentina de Derecho Internacional, Córdoba, Argentina

Mr. Christian-Jürgen Bühring, Egestorf, Germany

Bibliothek des Fachbereichs Wirtschaft und des Instituts für Schiffsbetrieb, Seeverkehr und Simulation, Hamburg

Bundesforschungsanstalt für Fischerei, Hamburg

Mr. Antônio A. Cançado Trindade, President, Inter-American Court of Human Rights, San José

Comité Maritime International, Antwerp

Professor Carlos D. Espósito, Universidad Autónoma de Madrid, Madrid

Division for Ocean Affairs and the Law of the Sea, United Nations, New York

European Commission, Directorate-General for Fisheries, Brussels

Institute of International Public Law and International Relations of Thessaloniki, Thessaloniki

Inter-American Court of Human Rights, San José

Inter-American Institute of Human Rights, San José

Inter-American Tropical Tuna Commission, La Jolla, United States of America

Inter-Parliamentary Union, Geneva

International Court of Justice, The Hague

International Criminal Tribunal for Rwanda, Arusha, United Republic of Tanzania

International Criminal Tribunal for the former Yugoslavia, The Hague

International Maritime Organization, London

International Seabed Authority, Kingston, Jamaica

International Whaling Commission, Cambridge, United Kingdom

Japan Branch of the International Law Association, University of Tokyo, Faculty of Law, Tokyo

Dr. Daniel-Erasmus Khan, Institut für Internationales Recht, Völker- und Europarecht, Ludwig Maximilians Universität München, Munich

Professor Barbara Kwiatkowska, The Netherlands Institute for the Law of the Sea, Utrecht

Professor Dr. Rainer Lagoni, Institut für Seerecht und Seehandelsrecht der Universität Hamburg, Hamburg

Mare, Die Zeitschrift der Meere, Hamburg

Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht, Heidelberg, Germany

Professor José Luís Moreira da Silva, Faculdade de Direito, Universidade de Lisboa, Lisbon

Pew Oceans Commission, Arlington, United States of America

The Project on International Courts and Tribunals, New York and London

Professor Alexander Shemyakin, Odessa National Maritime Academy, Ukraine

Professor Dr. Yann-huei Song, Institute of European and American Studies, Academia Sinica, Taipei

TRAFFIC International, Cambridge, United Kingdom

Turkish Marine Research Foundation, Istanbul

United Nations Conference on Trade and Development, Geneva

University of the Philippines, Quezon City, Philippines

U. S. Naval War College, Newport, United States of America

Dr. Davor Vidas, The Fridtjof Nansen Institute, Lysaker, Norway

Walther-Schücking-Institut für Internationales Recht an der Universität Kiel, Germany

World Meteorological Organization, Geneva

World Trade Organization, Geneva

Professor Wu Hui, Department of International Politics, University of International Relations, Beijing

Annex II

Information on staff, 2003

1. Professional and higher

Name	*Designation*	*Country of nationality*	*Level of post*
Gautier, Philippe	Registrar	Belgium	ASG
Kim, Doo-young	Deputy Registrar	Republic of Korea	D-2
Slark, Garry M.	Chief of Administration	United Kingdom	P-5
Cherif, Lamine	Head of Conference and Linguistic Services	Tunisia	P-5
Schaffer, Ellen	Librarian	United States of America	P-4
Sodhi, Gurpreet S.	Head of Budget and Finance	United States of America	P-4
Skinner, Paul	Translator/Reviser	United Kingdom	P-4
Savadogo, Louis	Legal Officer	Burkina Faso	P-4
Hinrichs, Ximena	Legal Officer	Chile	P-4
Bowes, Elisabeth	Legal Officer	Australia	P-3
Dimassi, Sami	Information Technology Officer	Lebanon	P-3
Vacant	Translator (French)		P-3
Schwarte, Christoph	Associate Administrative Officer (Contributions/ Budget)	Germany	P-2
Vacant	Associate Legal Officer		P-2
Gaba Kpayedo, Kafui	Administrative Officer (Support/Building Management)	Togo	P-2
Vacant	Archivist		P-2

Total Professional and higher posts: 16

2. General Service

Name	*Designation*	*Country of nationality*	*Level of post*
Vorbeck, Antje	Administrative Assistant (Personnel)	Germany	G-7
Kamps, Irene	Administrative Assistant (Procurement)	Germany	G-7
Bothe, Andreas	Building Coordinator	Germany	G-7
Prieto, Luis	Computer Systems Assistant	Spain	G-7
Pope, Julia	Press Assistant	United Kingdom	G-7
Egert, Anke	Publications/Personal Assistant (Registrar)	Germany	G-7
Sadler, Gerardine	Administrative Assistant	Singapore	G-5

Name	*Designation*	*Country of nationality*	*Level of post*
Winkelmann, Jacqueline	Administrative Assistant (Contributions)	Germany	G-6
Roth, Elizabeth	Conference/Documentation Assistant	Kenya	G-4
Ritter, Roman	Finance Assistant	Germany	G-6
Vacant*	Finance Assistant (Accounts Payable)		G-5
Boschmans, Laure**	Library Assistant	France	G-4
Drews, Svenja**	Library Assistant	Germany	G-4
Albiez, Berit	Linguistic Assistant/Judiciary Support	Germany	G-6
Becker, Martine	Linguistic Assistant/Judiciary Support	France	G-6
Bartlett, Emma	Personnel Assistant	United Kingdom	G-5
Borchert, Anne-Charlotte	Personal Assistant (Deputy Registrar)	France	G-5
Nas, Ellen	Personal Assistant (President)	Netherlands	G-6
Marzahn, Inga	Receptionist	Germany	G-3
Duddek, Sven	Senior Security Officer/Building Superintendent	Germany	G-4
Ntinugwa, Chucks	Security Officer/Driver	Germany	G-3
Vacant*	Security Officer/Driver		G-3

Total General Service posts: 21

* Offer of appointment issued.

** Part-time — 50 per cent occupancy of the post.

Annex III

Information on interns, 2003

Atmane, Tarik	Morocco	01/09/03-31/10/03
Bah, Mamadou	Guinea	01/10/03-31/11/03
Bodenstedt, Kai	Germany	01/11/02-28/02/03
Hipolyte, Koffi	Côte d'Ivoire	20/03/03-18/06/03
Iwata, Tomoko	Japan	15/02/03-05/04/03
Juchs, Geoffrey	France	01/08/03-30/09/03
Karaman, Igor	Ukraine	01/09/03-15/09/03
Kim, Hyoun Ji	Republic of Korea	01/04/03-30/05/03
Knudsen, Marianne	Denmark	01/09/03-31/10/03
Kropatcheva, Elena	Russian Federation	01/04/03-30/05/03
Launer, Martin	Germany	01/05/03-29/08/03
Lee, Hyung Ki	Republic of Korea	19/06/03-31/07/03
Macangus, Alexander	Canada	15/05/03-29/08/03
Pelosio, Lisa	Italy	06/01/03-28/03/03
Reitz, Timothy	United States	02/06/03-29/08/03
Sackett, Nickolaus	United States	14/02/03-30/04/03
Sarr, Angélique	Senegal	01/08/03-30/09/03
Simons, Daniel	Netherlands	15/01/03-15/04/03
Tyndall, Ryan	United States	02/06/03-18/08/03
Windemüth, Nora	Germany	01/11/03-31/12/03
Zovko, Ivana	Croatia	01/10/03-03/12/03